

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ABIGALE PFINGSTEN, <i>individually and on</i>	)	
<i>behalf of all others similarly situated,</i>	)	
	)	
Plaintiff,	)	
	)	Case No. 2:20-cv-00716
v.	)	
	)	
CARNEGIE MELLON UNIVERSITY,	)	
	)	ELECTRONICALLY FILED
Defendant.	)	
	)	

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ANOKHY DESAI, <i>individually and on</i>	)
<i>behalf of all others similarly situated,</i>	)
	)
Plaintiff,	)
	)
v.	)
	)
CARNEGIE MELLON UNIVERSITY,	)
	)
Defendant.	)
	)

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**NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendant Carnegie Mellon University (“CMU”), by and through its counsel, hereby gives notice of two additional refund class action cases in which motions to dismiss were granted since CMU filed its Reply Brief in Support of Motion to Dismiss Plaintiffs’ Consolidated Amended Complaint on January 4, 2021, (ECF No. 23), copies of which are attached hereto:

*Gociman, et al v. Loyola University of Chicago*, Case No. 20 C 3116, 2021 WL 243573 (N.D. Il. Jan. 25, 2021) (R. Gettleman, J.) (**Exhibit A** hereto) (dismissing, with prejudice,

plaintiffs' suit under Illinois law, which, consistent with Pennsylvania law, requires that plaintiffs "point to" the specific promise that the institution breached.).

*Hassan v. Fordham University*, 20-CV-3265, 2021 WL 293255 (S.D. N.Y. Jan. 28, 2021) (K. Wood, J.) (**Exhibit B** hereto) (dismissing on similar grounds as *Gociman* and requiring plaintiffs to submit a letter brief explaining why further amendment would not be futile given that, as in the suit against CMU, the alleged contract terms preclude a refund claim).

/s/ Jeffrey M. Weimer

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Dated: February 4, 2021

*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on February 4, 2021 a copy of the foregoing was served via the Court's electronic filing system to all counsel of record.

/s/ Jeffrey M. Weimer